

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JAMES E. CHANEY JR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. CIV-21-0175-HE
	)	
KILOLO KIJAKAZI, Acting	)	
Commissioner of Social Security	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff, appearing *pro se*, filed this case pursuant to 42 U.S.C. § 405(g) requesting judicial review of a final decision of the Social Security Administration. The case was assigned to Magistrate Judge Amanda Green pursuant to General Order 16-4. Judge Green issued a Report and Recommendation recommending that the case be dismissed for failure to serve defendant. Plaintiff objected to the Report indicating that he attempted service in this by certified mail to the Office of the Regional Chief Counsel of the Social Security Administration in Denver, CO. The court noted that plaintiff had not properly served defendant and again extended plaintiff's deadline to serve defendant.

Plaintiff has filed another proof of service indicating that he has attempted service only by certified mail to the Office of the Regional Chief Counsel of the Social Security Administration in Denver. As the court's prior order noted, when serving an agency of the United States, service must also be completed on the U.S. Attorney in this district and the Attorney General of the United States. Although *pro se* pleadings will be liberally construed, they must still "follow the same rules of procedure that govern other litigants."

Garrett v. Selby Connor Maddux & Janer, 425 F.3d 836, 840 (10th Cir. 2005) (quotations and citation omitted). Plaintiff has again failed to properly serve defendant.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #13]. This case is **DISMISSED** without prejudice for failure to serve the defendant.

**IT IS SO ORDERED.**

Dated this 21<sup>st</sup> day of July, 2022.

  
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JOE HEATON  
UNITED STATES DISTRICT JUDGE